

REMARKS

Claims 1-9 are pending in this application.

Claim 1 (hence dependent claims 2-9) and claim 10 have been amended.

The Rejections

Claim 10 has been rejected under 35 U.S.C. § 112, second paragraph, because of the inclusion of the word "broken" therein.

Figures 4-5 are objected to as each requiring a legend such as --Prior Art--.

Claims 1-4 and 9-10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the prior art as (according to the Examiner) admitted by Applicants in view of Kramer.

Claim 10 has been amended to substitute the word "weakened" for the word "broken" objected to by the Examiner. Claim 10 has been further amended to emphasize the problem solved by Applicants' invention, namely, the protection of a passenger's legs in the event of frontal impact on the vehicle containing Applicants' claimed floor structure.

Withdrawal of the rejection of claim 10 under 35 U.S.C. § 112 is respectfully requested.

The drawings have been amended to add the legend "CONVENTIONAL STRUCTURE" in each of Figs. 4 and 5. There is no "Prior Art" as such for Applicants' claimed invention, only conventional floor

structure to establish the environment in which Applicants' invention is presented.

Withdrawal of the objections and approval of the drawings as amended is respectfully requested.

As for the rejection under 35 U.S.C. § 103(a):

Applicants have not admitted to prior art as explained above in reference to the legends placed on Figs. 4 and 5 of the drawings.

Furthermore, neither Kramer nor any other art cited by the Examiner provides any disclosure, teaching or suggestion whatsoever of the problem solved by Applicants, namely, the prevention of injury to the legs of a passenger during frontal impact of a vehicle. Kramer is devoid of any structure such as set forth in Applicants' claim 1, as amended, to create a distortion in a floor pad at a particular position adjacent a restricting member in the vicinity of a seat in a vehicle in response to a rearward deflection of a toe board in floor structure of the vehicle.

There is no purpose to Kramer's mat structure other than flexibility, cushioning, and drainage. Kramer's mat would only distort, if at all, as shown in the Fig. 5 conventional structure. Clearly, nothing else is disclosed, taught, or suggested in Kramer which would motivate one of ordinary skill in the art to combine it with the Conventional Structure of Applicants' Figs. 4 and 5 for

other than what Kramer teaches. Kramer does not teach or even recognize any concept such as claimed by Applicants.

Only Applicants disclose the concern for the safety of the legs of a passenger as set forth in claim 10 and a unique floor structure having a specifically located distortion to respond to a vehicle collision manifested in a rearward displacement of the floor toe board.

It is purely hindsight to apply Applicants' own teachings to substantiate any obviousness rejection.

In view of the foregoing remarks, the Examiner is respectfully requested to reconsider and allow claims 1-10, as amended.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Terrell C. Birch (Reg. No. 19,382) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachments: Two (2) Replacement Drawing Sheets - Figs. 4 and 5

AMENDMENTS TO THE DRAWINGS

Attached hereto are two (2) sheets of corrected drawings that comply with the provisions of 37 C.F.R. § 1.84. The corrected drawings incorporate the following drawing changes:

The legend "CONVENTIONAL STRUCTURE" has been added to Figs. 4 and 5.

It is respectfully requested that the corrected drawings be approved and made a part of the record of the above-identified application.